



Deval L. Patrick  
Governor

Andrea J. Cabral  
Secretary

# *The Commonwealth of Massachusetts*

## *Department of Public Safety*

*Architectural Access Board*  
*One Ashburton Place, Room 1310*  
*Boston, Massachusetts 02108-1618*  
*Phone 617-727-0660*  
*Fax 617-727-0665*  
*[www.mass.gov/dps](http://www.mass.gov/dps)*

Thomas G. Gatzunis, P.E.  
Commissioner

Thomas P. Hopkins  
Director

### **Board Meeting Minutes – July 14, 2014**

#### **21<sup>st</sup> Floor – Conference Room 1**

#### **Present Board Members:**

- Walter White, Executive Office of Public Safety Designee, Chair (WW)
- Jeffrey Dougan, Massachusetts Office on Disability Designee (JD)
- Andrew Bedar, Member (AB)
- Diane McLeod, Vice Chair (DM)
- Carol Steinberg, Member (CS)

and

- Kate Sutton, Program Coordinator/Clerk for Proceedings (KS)
- Thomas Hopkins, Director (TH)

#### **Members Not Present:**

- Raymond Glazier, Executive Office on Elder Affairs Designee (RG)

- Meeting began at 9:10 a.m.

#### **1) Discussion:** Roll Call

WW - Call to order all but Raymond Glazier present

#### **2) Incoming Discussion:** Causeway BBQ, 69-71 Causeway St., Boston (V14-144)

TH - original review and notice of action issued on June 30, 2014  
- denied the 6 month time variance for use of the second floor  
- they are wrapping up the items that we had previously ordered  
- EXHIBIT – Greg Johnson, Order Form dated July 3, 2014 for the emergency egress signage (8 week lead time)

- asked to amend the order regarding the raised seating
- they have lowered one of the seating areas
- but one remains, so still seeking variance for the other two raised booth

*DM - grant*

*JD - second – carries with CS opposed*

*CS - accommodation policy about seating*

*JD - second – carries unanimously*

TH - also sent photographs of the urinal removed from the first floor toilet room, so now 1 single user accessible toilet room at the first floor

- seeking 8 weeks for the exit signage to be installed but open now

*CS - grant a time variance to September 1, 2014 to install compliant emergency egress signage and open the first floor only in the interim, require photos upon completion*

*DM - second – carries unanimously*

### 3) Incoming: La Brasa Restaurant, 122-130 Broadway, Somerville (V14-165)

TH - EXHIBIT – variance application and supplemental information

- seeking variance to sloped entrance landing at exterior
- 7% slope proposed with automatic door opener with interior and exterior buttons

*DM - grant as proposed*

*AB - second – carries unanimously*

### 4) Incoming: Health Club, 2 International Place, 90 Oliver St., Boston (V14-170)

TH - EXHIBIT- variance application and all supplemental information

- want to use house elevators instead of vertical access within the tenant space

*CS - grant as proposed on the condition elevators open at the same time as the health club*

*DM - Second – carries unanimously*

***Raymond Glazier, Executive Office on Elder Affairs Designee (RG) – Now Present***

### 5) Incoming: Commercial Space, 120 West Broadway, South Boston (V14-171)

TH - EXHIBIT- variance application and all supplemental information

- spent over 30% of tenant space (partial analysis done by AAB staff)
- at the rough sign-offs
- proposing a rear accessible entrance
- no test drawings or cost estimates for the front entrance

*DM - deny*

*AB - second – carries unanimously*

**JD left the room**

6) Incoming: Fiske Elementary School, 45 Hastings Street, Wellesley (V14-169)

- TH - EXHIBIT- variance application and all supplemental information  
- large remodel of building, over 30%

**JD present**

- TH - seeking multiple variances

*CS - hearing*

*DM - second – carries unanimously*

7) Incoming: Tremont Village, 347, 349 and 351 Tremont St., Boston (V14-163)

- TH - EXHIBIT – variance application and supplemental information  
- spending over 30%  
- seeking 4 variances  
- parking spaces, passenger loading zones  
- parking is at opposite end of the site from the accessible unit  
- there are only 14 spaces  
- propose to add street accessible parking space if request by tenant

- JD - on-street parking is not guaranteed for a resident of the adjacent building

- DM - site plan and path of travel

*JD - grant as proposed*

*DM - second – carries with CS abstaining*

- TH - seeking variances for the existing stair nosings and interior handrails, proposing compliant wall side handrails

*DM - grant as proposed on the condition compliant wall side handrails provided*

*AB - second – carries*

- TH - walkway width is less than 36”, site lines of the building prevent extending the width of the sidewalk

*CS - continue for more information regarding exact width of the walkway*

*DM - second for discussion*

*- motion fails with only CS in favor*

*JD - grant on the condition that it is not less than 33” inches in width*

*RG - second – carries unanimously*

8) Incoming: One Franklin Tower, One Franklin St., Boston (V14-174)

- TH - EXHIBIT – variance application and all supplemental information  
- new construction of residential dwelling units for sale  
- 100% Group 1 units  
- seeking variance for 9.5.6, outlets in 406 of the units due to the glass at the exterior walls, will have floor outlets at those units, below the reach ranges

*DM - grant as proposed*

RG - second – carries unanimously

9) Incoming: All Saints Episcopal Church, 59 Summer Street, North Adams (V14-164)

- TH - EXHIBIT – variance application and all supplemental information  
- reconstruction after a fire, over 30%  
- seeking variance for the lack of access to the upper level of the third floor, used only for CCD  
- lower level of the third floor will have accessible classrooms

JD - grant as proposed, on the condition accommodation policy in place for accessible classrooms

RG - second – carries unanimously

### **Brief Break**

### **CS not present**

10) Incoming: Northwest Corner of Roseland Street at Beacon Street, Somerville (V14-162)

- TH - EXHIBIT – variance application and supplemental information  
- high side transition of 15 feet at 12% due to the existing limitation of the site

DM - grant

JD - second – carries unanimously

### **CS now present**

11) Incoming: Schofield Elementary School, 27 Cedar Street, Wellesley (V14-168)

- TH - EXHIBIT – variance application and supplemental information  
- over 30%  
- seeking variance for one of the existing entrances, asking for relief on the entrance and clearances at the door

JD - grant as proposed

AB - second – carries with CS abstaining

- TH - three doors need variance (100.1B, 100.3A and 132A) do not meet the push side clearance  
- looks like a furniture issue

DM - deny, and require that the bookcase and musical instruments are moved out of the push side clearance area

JD - second – carries unanimously

- TH - accessible route to and around the playground has been done with wood fiber products  
- we have consistently ruled that the wood fiber cannot be used in the accessible route to and around the playground equipment

CS - deny the use of wood fibers at the playground

DM - second – carries unanimously

12) Incoming Discussion: Multiple locations of sidewalk width, Cambridge (V12-069)

TH - EXHIBIT – amendment to the case submitted by Kathy Watkins of the Cambridge DPW, June 24, 2014

- Alewife Sewer Separation project, one location at cul-de-sac, slope by the tree is 17%
- no crossover option since it is a cul-de-sac
- support of amendment from Michael Muehe of Cambridge Commission
- may not need variance since all running slopes along existing streets is exempt

CS - *grant as proposed, based on technological infeasibility*

RG - *second on the condition that signage posted at the edge of the sidewalk*

CS - *accept amendment – carries unanimously*

13) Advisory Opinion: Accessible Door Hardware (26.11.1)

TH - EXHIBIT – letter received on July 8, 2014 from Dominic Marinelli, regarding keys for door hardware

- seeks opinion about how the language applies to keys
- asks for opinion since keys are not indicated, regarding the use of keys
- seeking to use adapter for keys
- does the text of 26.11.1 apply to keys

CS - *keys are part of 26.11.1*

DM - *second - carries unanimously*

TH - can key adapters be used

DM - *key adapters cannot be used*

JD - *second – carries unanimously*

14) Advisory Opinion: 699 Boylston Street, Boston – 521 CMR 27.3

TH - EXHIBIT – John Piccatelli on June 27, 2014 advisory opinion request regarding nosings at glass riser

- ½ inch and then bevels out to a ½ inch

JD - *does not meet the language of 27.3, requires a variance or made to comply*

RG - *second – carries unanimously*

15) Incoming: TAB Building, 169 Holland St., Somerville (V14-179)

TH - EXHIBIT – variance application and supplemental information

- seeking expedited variance review for 521 CMR 2.6
- Rudi Pizzi seeking variance for elevators since they are going to be shut down for 9 months
- seeking to install a Stannah Stair Lift to create access from main floor to senior center areas
- amended to a temporary ramp and portable lift
- portable ramp into the building
- temporary access into the building

CS - *waive the two-week waiting period*

AB - *second – carries unanimously*

*CS - deny the use of the Stannah Stair Lift, and require that the proposed temporary ramp and portable vertical wheelchair*

*JD - second – carries with DM abstaining*

16) Incoming: Glennville Avenue Apartments, 58, 62, 66, 70, 74, 82 & 90 Glennville Avenue, Boston (V14-160)

TH - EXHIBIT – variance application and supplemental information  
- reconstruction and remodel of existing residential buildings  
- spending over 30%  
- seeking multiple variances

*CS - hearing*

*AB - second - carries unanimously*

17) Incoming Discussion: Convenience Store and Apartment, 64-66 Central St., Milford (V14-086)

TH - EXHIBIT – Architect (Frederick Gavreil) and owner/contractor (Wendy Beltramini White) submittal received on July 9, 2014

- seeking 42” inches between the handrails instead of the required 48”  
- already gave them approval of 42” previously

DM - there is a lip at the bottom of the ramp

TH - stair handrails also don’t comply

*DM - grant the variance for the clear width of the handrails, on the condition that the stair handrails are brought into compliance (shape and extension) and lip at the end of the ramp is beveled and confirm to the Board*

*JD - second – carries unanimously*

18) Incoming: Buckingham Brown & Nichols School Middle School, 80 Sparks St., Cambridge (V14-172)

TH - EXHIBIT – variance application and supplemental information  
- three variances requested  
- renovation of the school  
- first variance for existing treads and risers

*DM - grant as proposed*

*RG - second – carries unanimously*

TH - 27.4, for handrails  
- diameter of handrails  
- compliant wall side provided

*DM - grant handrails*

*CS - second- carries unanimously*

TH - third variance is for circular ramps at exterior  
- allowance of curved ramp

*DM - grant as proposed, on the condition that cross slopes do not exceed two percent*

*RG - second – carries unanimously*

19) Incoming: Coppersmith Hall, 30-40 West Third Street, South Boston (V14-166)

TH - EXHIBIT – variance application and supplemental information  
- spending over 30%  
- restaurant tenant fit-out  
- two-phase project  
- first phase will provide vertical wheelchair lift to outdoor roof terrace  
- phase two will have full service elevator to the same location  
- need the variance for the lift usage in the interim of the elevator installation (to start in 18-24 months)

*CS - grant as proposed*

*DM - second – carries unanimously*

**CS left the room - not present**

20) Incoming Discussion: Harrison Park Condo, 394 Lowell St., Unit 7 & 12, Lexington (V14-142)

TH - previously denied the variance requested on June 30, 2014  
- EXHIBIT – July 11, 2014, Kevin Latade (architect) submitted new plan for the bathrooms to be single-user unisex at the second floor  
- need a variance from the plumbing board as well for single-user toilet rooms instead of men's and women's inaccessible bathrooms  
- asking for letter of support

*DM - accept the newly submitted plan and send a letter of support to the plumbing board for their variance application*

*JD - second – carries unanimously*

21) Incoming Discussion: Dunkin Donuts, 20 North St., Boston (V14-135)

TH - previously denied incline lift plan, which was not usable  
- EXHIBIT –submittal from Van Dahart (architect) on July 7, 2014 showing new plan for the lift

*JD - grant the use of the incline lift, as newly proposed in the submitted plan, on the condition that the hallway provided an unobstructed clear path of travel to the lift and that the lift is readily available and usable*

*DM - second –carries unanimously*

## **CS now present**

22) Discussion: New Housing, 44 Dwelling Units, 77, 79 81 Terrace Street, Boston (V14-068)

TH - hearing held on June 30, 2014, taken under advisement  
- EXHIBIT – fourth option submitted with Option 1 with more accessible units and the installation of a LULA; submittal by Kathryn Quigley on July 3, 2014 in support of variance; plans submitted by Brian Militana of Sebastian Mariscal Studios

*JD - grant as proposed on the condition that the proposed option for ramp access with more accessible units and the installation of a LULA*

*DM - second – carries unanimously*

## **Brief Break**

23) Hearing: Burns Family Trust Parking, 850-856 Washington Street, Weymouth (C04-106 & C13-018)

WW - call to order at 11:00 a.m.  
- introduce the Board

Richard Burns, Property Owner (RB)

Robert Thomas, Weymouth Complainant (RT)

Mark Dempsey, Compliance Officer for the Board (MD)

WW - all sworn in  
- EXHIBIT 1 – AAB1-33

TH - receipt of submittal from the Complainant on July 11, 2014  
WW - accept as Exhibit 2

RT - police do not enforce people parking in accessible parking spaces without proper identification (\$100 fine given to the Disability Commission)  
- the property owner asked for a 30 day extension to comply with the requirements of 521 CMR 23, and still not compliant  
- ongoing since 2005, started in 2003 when Mr. Burns applied for variance with the Town of Weymouth to create a second floor on the building for storage  
- approval of plan by zoning board of appeals with 42 parking spaces, required by the Town of Weymouth to provide 3 accessible parking spaces  
- two signs posted at the edge of the parking lot, not closest to the building entrances  
- 16 foot wide required for van accessible  
- needs a variance from this Board if alternate spaces required  
- stipulated order issued requiring May 1, 2014 deadline; May 2, 2014 email to Mr. Hopkins seeking additional 30 days to comply  
- there are only two signs posted on the fence, no striping of access aisles provided



- no accessible route delineated
- the lot is not yet seal coated, white striping provided

WW - to this date there are still violations

RT - yes

MD - complaint received in 2004 on same property and site visit conducted  
 - the nature of the businesses at that time were more employee only spaces  
 - now open to the public and sent correspondence that parking spaces are required to be provided

WW - any plans provided?

MD - just in writing, no visual plans submitted

RB - apologize for delays  
 - been at the property for the past 33 years  
 - agree that the building use has changed and need to provide parking  
 - submit a letter from the Weymouth Building Department, July 10, 2014

WW - accept the letter from the building department, July 10, 2014 noting that spaces provided are 8 feet wide and 8 foot wide access aisles; required by Weymouth to provide 9 feet wide spaces; spaces measured 9 feet wide and the access aisles are 8'3" wide – Richard Ziegler of Town of Weymouth; states that the spaces are located near the building entrances

- one photograph also submitted showing a stripped access aisle and two striped spaces with two accessible signs on the fence

RB - those spaces are closest to the majority of the entrances  
 - 10 tenants

WW - accept submittals of letter and plans and pictures as EXHIBIT 3, 4, and 5

RB - this location was chosen by the Building Department

AB - same location of previous parking spaces

WW - AAB 17 is a plan from the zoning board approval

DM - where are the entrances

RB - all the entrances are accessible

DM - suggested location from MD?

MD - did a site visit in 2005, when the building was more commercial and employee only than public use spaces

*DM - find in favor of the complainant, due to the lack of compliance with the Board's order*

*RG - second – carries unanimously*

DM - does the complainant have an issue with the parking spaces and locations

RT - submit aerial view showing location of the parking spaces

- the accessible parking spaces are more than 100 feet from one of the rear retail entrances

WW - aerial view plan – accept as EXHIBIT 6

RG - tenant uses, public use tenant spaces

JD - MD has not discussed the location of the parking with the building inspector?

MD - no

WW - what is the business at the back of the building?

RB - all of the businesses have multiple entrance doors, the door at the rear of the building uses an alternate entrance into the tenant space

*CS - require a site visit to be conducted by the Board Staff*

DM - they should be dispersed, the tenant spaces could change at any time

WW - it appears as though the spaces need to be dispersed

*WW - no second to the motion – motion fails*

WW - there are front doors along the front of the building, and since parking provided at the front of the building, the parking location is not the closest location

- need an accessible parking space at the front and rear of the building

DM - is there a path of travel along the building in front of the parking at the front of the building

*DM - require disbursement of the parking to require a compliant accessible parking space and access aisle at the front and rear of the building; plan for the parking space shall be submitted July 24, 2014; and then determination of timeframe for the striping, but would like the striping done no later than August 15, 2014 or a fine hearing will be scheduled if either submittal is not received in a timely fashion (pictures and written verification)*

*JD - second – carries unanimously*

RB - putting an accessible parking space at the back of the building for one tenant

- the majority of the tenants are at the front of the building

**WW - left the room – DM as acting Chair**

24) Incoming: Commonwealth Avenue Apartments, 1285, 1287, 1289, 1291, 1293, 1295, 1299, 1301, 1305 & 1309 Commonwealth Avenue, Boston (V14-159)

TH - EXHIBIT – variance application  
- occupied apartments  
- renovation around the tenants, over 30%

CS - *hearing*

JD - *second – carries unanimously*

25) Discussion: Bradley Palmer State Park, Ashbury Street, Topsfield (C13-082)

TH - EXHIBIT – plan from DCR, submitted by Tom McCarthy on June 27, 2014  
- seeking to improve the dirt parking lots with stone dust base and signage by 9/30/14 and will be paved in the spring of 2015  
- 4 parking lots  
- need to issue stipulated order  
- need to do prep work first

CS - *accept the September 30, 2014 date for the installation of stone dust and accessible signage and paved by May 1, 2015 with appropriate delineation and signage*

AB - *second – carries unanimously*

26) Incoming: Mixed Use Retail Restaurant, 1243-1245 Commonwealth Avenue, Boston (V14-161)

TH - EXHIBIT – variance application and supplemental information  
- jurisdiction of 3.3.1a, work performed  
- seeking variance for sloped landing at the entrance, handrail at one side of the landing and automatic door opener installed (slope of 1:12)

CS - *grant as proposed*

AB - *second – carries unanimously*

27) Incoming Discussion: Pedestrian Walkway, 161-163 Commonwealth Avenue, Boston (V14-120)

TH - EXHIBIT – July 10, 2014 site visit pictures  
- on 6/2/14 required site visit  
- conducted site visit on July 10<sup>th</sup>  
- sidewalk slope is compliant  
- 8.4-4.4% cross slope within furniture zone

AB - *grant as proposed*

CS - *second – carries unanimously*

28) Incoming: Office Parking, 14 Walnut Street, Worcester (V14-173)

TH - EXHIBIT – variance application and supplemental information  
- spending over 30%  
- seeking 3 variances for curb cut cross slopes, have to follow the slope of the streets  
- the cross slope of the curb cut is 21.3% (521 CMR 21.3 and 21.4)

*AB - grant as proposed*

*RG - second – carries unanimously*

TH - 23.3.3, parking is 200 feet from the accessible entrance  
- parking lot is across the street, the only parking provided  
- no place to build a drop-off location

JD - why is the parking not provided at the end of the lot closer to the building

TH - because of the slope of the site, parking at the opposite end of the lot would require large ramp to overcome grade change

*JD - grant the variance for the lack of drop-off area, on the condition that one van accessible parking space is provided within the lot directly adjacent to the building*

*RG - second – carries unanimously*

## **BREAK FOR LUNCH**

29) Incoming: Pleasant Street Towers, 505-507 Pleasant Street, Malden (V14-167)

TH - EXHIBIT – 6/30/14 submittal from Steven Garvin, seeking a temporary CO for the building to start being occupied by tenants

- 100% Group 1, only Group 2A required

- granted temporary CO, on the condition that variance application be delivered by June 27, 2014,

- EXHIBIT – variance application for sidewalk slopes

- compliant 4 foot wide sidewalk and ramped entrance to the building, seeking variance for cross slope of furniture zone

- curb line to the compliant walkway has a variable cross slope greater than 2%

*JD - grant as proposed, on the condition that demarcation provided*

*DM - second – carries unanimously*

30) Incoming: Dalton Residences, 30 Dalton Street, Boston (V14-147)

TH - EXHIBIT – variance application and supplemental information

- seeking variance for floor outlets, which are below the level of zone of reach, due to floor to ceiling windows

*MB - grant as proposed, with clear demarcation*

*DM - second – carries unanimously*

## ***BRIEF BREAK***

31) Discussion: Arrowhead Museum, 780 Holmes Road, Pittsfield (V13-316)

- TH - EXHIBIT – July 27, 2014 submittal of status report from Will Garrison (Museum Curator)
- amended decision based on June Hailer’s request to require status reports
  - construction of first floor bathroom, drawings done and existing capital funds proposed to be allocated to this project
  - entrance to the main house; doorway work is scheduled for September of 2014 on the door, pathway work is also scheduled for September 2014; existing capital funds proposed
  - work at the bathrooms in the barn have been completed

CS - *accept the status report, and require pictures of the completed bathroom pictures of the barn, by July 28, 2014*

JD - *second – carries unanimously*

JD - *expedite*

DM - *second – carries unanimously*

32) Discussion: First Congregational Church of Truro, 3 First Parish Lane, Truro (V14-056)

- KS - EXHIBIT - copy of the updated first floor plan, submitted via e-mail on June 12, 2014, by Mark Almeda, architect for the Church
- need motion to reopen and finalize this case

CS - *reopen*

AB - *second – carries unanimously*

- KS - wheelchair seating distribution

DM - *grant as proposed*

CS - *second – carries unanimously*

- KS - Access aisles width

AB - *grant as proposed*

CS - *second – carries unanimously*

- KS - Parking, with drop-off area proposed and alternate space

AB - *grant as proposed*

DM - *second – carries unanimously*

KS - lack of access to the chancel

CS - *grant on condition accommodation policy in place*

AB - *second – carries unanimously*

KS - Entrances, one proposed and one to remain as is

CS - *grant as proposed*

RG - *second – carries unanimously*

KS - lack of access at the existing stairs to the non-occupiable balcony

DM - *grant*

CS - *second – carries unanimously*

KS - lack of vertical access to the non-occupiable balcony

DM - *grant*

JD - *second – carries unanimously*

KS – lack of access within the existing kitchen

JD - *grant*

DM - *second – carries unanimously*

KS - need to expedite to send out the decision

RG - *expedite decision*

DM - *second – carries unanimously*

33) Hearing: Nappi's, 370-374 Salem Street, Medford (C11-004 & V12-196) - FINE

WW - call to order at 1:52, scheduled for 1 p.m.

- no one present

Mark Dempsey, Compliance Officer for the Board (MD)

MD - green card returned to the Board on 4/16/14 for Notice of Fine Hearing

DM - recusing and leaving the room

WW - EXHIBIT – July 8, 2014 plan (stamped by land surveyor, Richard J. Meed, Jr.)

JD - *require compliant ramp by September 1, 2014, on the condition that the ramp meet all of the applicable requirements of 521 CMR 24*

CS - second – carries unanimously

JD - site visit be scheduled to be conducted by the Board Staff September 2, 2014

CS - second – carries unanimously

JD - a fine be imposed of \$500 for failure to appear before the Board

CS - second – carries unanimously

JD - expedite

RG - second – carries unanimously

**DM now present; JD not present**

34) Hearing: Casco Crossing Apartments, Buildings 1-4 and Community Building, 168 River Road, Andover (C14-012 & V14-131) – Complaint and Variance

WW - called to order at 2 p.m.

- introduce the Board

Ted Papadopoulos, Attorney for Casco Crossing (TP)

Katherine Bishop, Tenant (KB)

Thomas Ciampa, Tenant (TC)

Vernon Woodworth, Consultant for Casco Crossing (VW)

Matthew Gardner, Casco Crossing Property Manager (MG)

King Weinstein, Property Manager (KW)

Kelsey Meagher, Legal Intern AGO (KM)

Adrienne Manson, MOD Advocate (AM)

Robert Dias, MOD Advocate (RD)

Allan Montenko, MOD (AM)

James Nicolara, Consultant (JN)

Thomas Hopkins, AAB Director & Board Ordered Complainant in this matter (TH)

WW – all sworn in

- EXHIBIT 1 – AAB1-98

TH - July 8, 2014 submittal from AKF, Accessibility Review

WW - EXHIBIT 2

- July 14, 2014 submittal from AKF, entitled Accessibility Master Plan

WW - EXHIBIT 3

TH - complaint filed at the direction of the Board, when the Board Staff received information about possible violations at Casco Crossing

- requested records for the Building, part of the master record in the office

- the complaint cited violations of entrances at Buildings 2-4, lack of compliant accessible routes, and lack of compliant accessible units

- site visit was conducted on June 19, 2014, with VW, MG and building inspector Chris Clemente
- went into Building 1, and reviewed outside of Community Building
- also noted additional deficiencies based on the site visit
- the July 8, 2014 review has found further violations around the property
- the issue of Group 1 units and whether or not they exist at the building
- at the first review of the submitted variance application, hearing was scheduled

CS - *find in favor of Complainant*

RG - *second – carries unanimously*

VW - most recent document has a scheduled timeframe for compliance

- work items that have been committed to by the property owner with time frames
- Automatic Door Opener proposed at the main entrance of Building 1 by August 1, 2014
- Protruding Fire Extinguisher, proposed to be relocated by September 1, 2014
- threshold at Community Building Entrance proposed to comply by October 1, 2014
- sidewalk and walkways proposed to be completed by November 1, 2014, propose installation of new compliant curb cuts and sidewalks throughout the complex

- public entrance proposed to comply by December 1, 2014, based on regarding of the adjacent sidewalks and walkways

- parking proposed to be restriped and re-graded, and relocated by June 1, 2015; parking is not closest to the front entrance, and formalize accessible parking space in front of Building 3 with compliant curb cut

- signage for parking will be done by June 15, 2015

- interior handrails at Buildings 1-4; at one area an extension could be argued as a safety hazard, plan to replace all interior stair handrails by October 1, 2015

- December 1, 2015 thru July 1, 2016, want to bring the Community Building Toilet Rooms, Kitchen, Access to the Swimming Pool, and access at the drinking fountain into compliance

- Group 2 Units being distributed throughout the complex; there are five Group 2A units in Building 1

CS - all public entrances will be made accessible

- can do it with walkways, no ramps?

VW - has to be reviewed by landscape designer, but there is enough land to do it

- will provide ramps if need be

CS - pool lift proposed by June 1, 2016, is there also a problem getting to the pool

VW - the only way to get to the pool is thru the Community Building

CS - why wait until 2016 for the installation of access to the pool?

VW - could switch the items around, but the goal was to deal with the items that effected the most people first

CS - Group 1 units; not sure if they are provided?



- VW - yes, not sure if they were built as Group 1  
- the only way to find out is to check if there is blocking in the Group 1
- VW - need to figure out if it is compliant or not, or will ask for variance
- CS - would be more likely to give more time to collect the information about the Group 1 units
- RG - no as-built plans?  
VW - no, the best that they can hope for is the permit documents from the Town
- DM - who is the property owner?  
VW - Casco Crossing
- KW - have to look to see if they have as-built plans that were done
- CS - public toilet rooms  
- what is deficient?
- VW - very small stall within a single-user toilet room, just need to take the partition down
- CS - why will it take a year and a half to remove the partition?  
VW - the community room is used less frequently so less of a priority
- TH - had asked about confirmation of Group 1 units  
- at the site visits, were not aware that there was an elevator in the building until we arrived there, since the plans that were on the file were simply photocopied versions of one building and no elevator was shown on the plan for that building  
- at the time of construction, required to have all of the first floor units built as Group 1 units in Buildings 2-4  
- the timeframes seem to highlight short dates for the items that need full compliance now  
- maybe just need to wait for as-built plans, and maybe as the units at the ground floors in Buildings 2-4 are vacated, then the blocking can be checked
- AM - advocate from MOD  
- first received call from Mr. Ciampa  
- he resides in Building 3 and does have some issues with access within his building
- WW - is that something that is put on the priority for Building 3
- KB - what is proposal for the Building 1 entrance
- VW - clear floor space at the interior is 48" by 60" but difficult to negotiate  
- top priority is to install an automatic door opener at the Building 1

- KB - son barely fits through the door, very hard to negotiate through the front entrance to Building 1  
- issues with thresholds and opening the entrance door
- TH - looked at the entrance to this building in particular  
- required 60" by 60" in front of the door, and due to the location of the adjacent stairs, hard to maneuver to line up to get out of the door  
- need to reconfigure this entrance to create extra room for this entrance  
- no technical arguments about why the maneuvering clearances cannot be created  
- this is the main accessible unit building within the complex
- VW - can look into moving the door, but creation of a vestibule would be a significant expense
- TC - use a walker, a wheelchair and an electric wheelchair  
- have to maneuver to get out of the door and don't have enough room to go out the back  
- three stairs in the front and back  
- have lived there for three years, have to have cabinets lowered  
- problem with getting out of the building in emergency
- RD - advocate from MOD  
- Ms. Bishop contacted MOD, filed a housing complaint, and filed a complaint with the Attorney General's Office  
- reiterate issue of the lack of maneuvering clearance at the entrance door  
- ongoing issue  
- waiting for vacancy is a concern with the fact that there are residents currently living there that need some adaptations so need to know about blocking in the wall sooner than later
- TH - the dates are fairly reasonable for proposed compliance  
- need to get the confirmation about Group 1 units
- KW - the original architect was going to review his archives to find as-built plans
- TH - need to determine the actual dimensions of the units
- CS - more urgent for Mr. Ciampa since he is living in the building in a unit that should be Group 1
- MG - did offer to relocate Mr. Ciampa to Building 1, but he declined  
- have installed grab bars within the building and they were inspected by the Board of Health, not sure if Building Department has inspected the installation of the grab bars
- CS - *would like a plan, that discusses the issues regarding the entrance to building 1 and confirmation that Mr. Ciampa's unit is compliant with Group 1 requirements, submit by August 1, 2014*
- DM - *second – carries unanimously*
- CS - *grant the variance for the distribution of the Group 2 A units*

DM - second – carries unanimously

DM - as-built plans of Buildings 1-4 shall be submitted to the Board by August 1, 2014

CS - second – carries unanimously

TH - contacted on March 24, 2014 by Farmer's Insurance claim  
- is that claim still being pursued

KW - they are leaning to deny that coverage

CS - approve all of the deadlines as outlined on Page 1 of the Accessibility Master Plan, with the exception that the Community Building Toilet Room (#9), done by December 1, 2014; access to pool (#11) to June 1, 2015

KW - removal of the partition will not be a problem; landscaping done by December 2014, then can have the pool access done by September 1, 2015

CS - change to September 1, 2015 for the access to the pool to be provided

DM - second – carries unanimously

KB - pool access is concern as well, if put the access in September it will just sit there for the winter to be used the following year

VW - makes sense to extend to the beginning of the following year

CS - if you can do it earlier, then would be appreciated

RC - comment about the property

35) Discussion: Casco Crossing Apartments, Buildings 1-4 and Community Building, 168 River Road, Andover (C14-012 & V14-131) – Complaint and Variance – Cont'd

CS - expedite decision

AB - second – carries unanimously

**DM no longer present**

36) Hearing: Lincoln Village Community, 134 Country Club Boulevard, Worcester (V14-093)

WW - called to order at 3:15 p.m.  
- introduce the Board

David Goslin, Crosskey Architects (DG)

Jeff Munsie, Crosskey Architects (JM)

Michael Steinbrecher, Carabetta Management (MS)

- WW - all sworn in  
- EXHIBIT 1 – AAB1-42
- DG - submittal of Lincoln Village packet  
WW - EXHIBIT 2
- DG - built in the 1970's  
- 1213 total units  
- large site that encompasses large portion of the City  
- there are 4 hi-rise buildings with 663 units  
- 63 separate townhouse buildings  
- 3 out buildings (tenant office, tenant association building, and recreation center)  
- plan to renovate units, do a lot of same day renovations
- MS - did come across some asbestos floor tile in some of the units, so need to be displaced for one night  
- so that is abated overnight
- DG - asbestos issues throughout the buildings, floor tiles and caulking  
- Mass Housing funding need to maintain  
- have to increase the energy efficiency of the buildings  
- four boilers that handle all the units on the site, want to replace with hi-efficiency boilers; and also want to install 13 new hi-efficiency boiler rooms on the site  
- want to increase accessibility throughout the property
- DG - Building #1 is going to be made accessible at the first floor (Tenant Office)  
- Building #2 (Tenant Association Building), completely renovate the kitchens and bathrooms  
- Building #3 (pool house), contains indoor and outdoor pools, locker rooms, kitchens will all be brought into compliance  
- proposing 5% Group 2A units (61 required), would like to provide the Group 2A units throughout the 4 hi-rise buildings
- MS - site was previously a golf course
- DG - when the site was developed, they took advantage of the hill and some built into the hills  
- some buildings enter at grade from parking and others have garages under the buildings  
- tenants who live with the garages enter from the garage
- MS - guests use main door up a set of stairs to the buildings
- DG - 550 townhouse units (1BR, 2BR, 2BR w/ garage, 3BR, 3BR w/ garage and 4BR w/ garage)  
- proposed distribution outlined in AAB12  
- balconies are proposed to be removed from hi-rises  
- townhouses each have their own individual entry  
- parking spaces issues are with the garages having only 11 feet of space available  
- LULA not feasible due to the size of the building and the fact that the townhouses are 3 stories  
- issue with installing elevator into the 2 bedroom units  
- lack of clearances beyond stairs and within the garage  
- installation of vertical access would reduce the number of bedrooms  
- converting the townhouses would require gutting the units  
- would affect the rent ability if two flats created over each other

- 3 BR townhouse units creates two modules
- also ramps would create issues at the front
- could do separate units for each floor of the existing 3BR townhouse, but would have egress issues
- 4 BR townhouse basement and first floor are the same as the 3 BR, with the exception of the master suite
  - if an elevator is installed from garage to the 3<sup>rd</sup> floor, would eliminate a bedroom; would only have a bath and a half
  - would also (like the others) require a full gut of the building, and require the tenants to move out of the building
  - also issue with egress requirements

DG - providing the full number of accessible units within the hi-rises

- hi-rise has all flats, trash service available, full elevators
- conversions of hi-rise units is not structural
- can get 62 accessible units, if not more

WW - any cost estimates for the required work, need to know if argument for variance is based on technological infeasibility or excessive cost without substantial benefit to person with disability

MS - have done the cost estimated, but do not have them with them

CS - townhouses are nicer than the flats, would like to see one accessible townhouse

- Mike Kennedy would like 7% units provided

JD - none of the townhouses are planned to be accessible

DG - yes, utilizing the substitution of the flats for creating access within the town house

WW - need more information about costs

DG - can have proposed plan for next meeting

*JD - continue the discussion regarding this matter until August 11, 2014, with submittal of cost estimates for full compliance at the townhouses, by August 4, 2014*

*AB - second – carries unanimously*

### 37) Incoming Discussion: Voke Lofts Housing, 21 Salisbury Street, Worcester (V14-150)

TH - presented on June 30, 2014, seeking variances for one entrance and nosings

- denied the nosings for Stairs 1, 3 and 4
- core entrance in the middle of the building was still in question
- did not have pictures of the existing entrance, so continued to have the petitioners submit pictures

TH - EXHIBIT- July 14, 2014 e-mail from Scott Maenpaa of the Architectural Team, submitted photographs of the main entrance

- still seeking variance for the lack of access at that main entrance; there are four other entrances that are accessible

*CS - grant as proposed with directional signage provided*

*AB - second – carries unanimously*

### 38) Discussion: Meeting Minutes and Decisions from 6/30/14

KS - any changes?

CS - *accept the minutes and decisions including the amendment to the mission hill decision*

AB - *second – carries unanimously*

- End of Meeting -

#### EXHIBITS:

- Causeway BBQ, 69-71 Causeway St., Boston (V14-144) - Greg Johnson, Order Form dated July 3, 2014 for the emergency egress signage (8 week lead time)
- Multiple locations of sidewalk width, Cambridge (V12-069) - amendment to the case submitted by Kathy Watkins of the Cambridge DPW, June 24, 2014
- Convenience Store and Apartment, 64-66 Central St., Milford (V14-086) - Architect (Frederick Gavreil) and owner/contractor (Wendy Beltramini White) submittal received on July 9, 2014
- Harrison Park Condo, 394 Lowell St., Unit 7 & 12, Lexington (V14-142) - July 11, 2014, Kevin Latade (architect) submitted new plan for the bathrooms to be single-user unisex at the second floor
- Dunkin Donuts, 20 North St., Boston (V14-135) - submittal from Van Dahart (architect) on July 7, 2014 showing new plan for the lift
- New Housing, 44 Dwelling Units, 77, 79 81 Terrace Street, Boston (V14-068) - fourth option submitted with Option 1 with more accessible units and the installation of a LULA; submittal by Kathryn Quigley on July 3, 2014 in support of variance; plans submitted by Brian Militana of Sebastian Mariscal Studios
- Bradley Palmer State Park, Ashbury Street, Topsfield (C13-082) - plan from DCR, submitted by Tom McCarthy on June 27, 2014
- Pedestrian Walkway, 161-163 Commonwealth Avenue, Boston (V14-120) - July 10, 2014 site visit pictures
- Arrowhead Museum, 780 Holmes Road, Pittsfield (V13-316) - July 27, 2014 submittal of status report from Will Garrison (Museum Curator)
- First Congregational Church of Truro, 3 First Parish Lane, Truro (V14-056) - copy of the updated first floor plan, submitted via e-mail on June 12, 2014, by Mark Almeda, architect for the Church
- Advisory Opinion: Accessible Door Hardware (26.11.1) - letter received on July 8, 2014 from Dominic Marinelli, regarding keys for door hardware
- Advisory Opinion: 699 Boylston Street, Boston – 521 CMR 27.3 - John Piccatelli on June 27, 2014 advisory opinion request regarding nosings at glass riser
- La Brasa Restaurant, 122-130 Broadway, Somerville (V14-165) - variance application and supplemental information
- Health Club, 2 International Place, 90 Oliver St., Boston (V14-170) - variance application and all supplemental information
- Commercial Space, 120 West Broadway, South Boston (V14-171) - variance application and all supplemental information
- Fiske Elementary School, 45 Hastings Street, Wellesley (V14-169) - variance application and all supplemental information

- Tremont Village, 347, 349 and 351 Tremont St., Boston (V14-163) - variance application and supplemental information
- One Franklin Tower, One Franklin St., Boston (V14-174) - variance application and all supplemental information
- All Saints Episcopal Church, 59 Summer Street, North Adams (V14-164) - variance application and all supplemental information
- Northwest Corner of Roseland Street at Beacon Street, Somerville (V14-162) - variance application and supplemental information
- Schofield Elementary School, 27 Cedar Street, Wellesley (V14-168) - variance application and supplemental information
- TAB Building, 169 Holland St., Somerville (V14-179) - variance application and supplemental information
- Glennville Avenue Apartments, 58, 62, 66, 70, 74, 82 & 90 Glennville Avenue, Boston (V14-160) - variance application and supplemental information
- Buckingham Brown & Nichols School Middle School, 80 Sparks St., Cambridge (V14-172) - variance application and supplemental information
- Coppersmith Hall, 30-40 West Third Street, South Boston (V14-166) - variance application and supplemental information
- Commonwealth Avenue Apartments, 1285, 1287, 1289, 1291, 1293, 1295, 1299, 1301, 1305 & 1309 Commonwealth Avenue, Boston (V14-159) - variance application and supplemental information
- Mixed Use Retail Restaurant, 1243-1245 Commonwealth Avenue, Boston (V14-161) - variance application and supplemental information
- Office Parking, 14 Walnut Street, Worcester (V14-173) - variance application and supplemental information
- Pleasant Street Towers, 505-507 Pleasant Street, Malden (V14-167) - variance application and supplemental information; 6/30/14 submittal from Steven Garvin, seeking a temporary CO for the building to start being occupied by tenants
- Dalton Residences, 30 Dalton Street, Boston (V14-147) - variance application and supplemental information
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